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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,897	02/15/2001	John F. Morar	YOR920000719US1	4043
29683	7590	01/30/2004	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			BAYAT, BRADLEY B	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/783,897

Applicant(s)

MORAR ET AL.

Examiner

Bradley Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

Applicant has amended claims 1, 19-23, 26-31 and added new claims 32-80 in the amendment filed on 03 November 2003. Thus claims 1-80 are pending are presented for examination on the merits.

Response to Arguments

Applicant's arguments with respect to claims 1-80 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-80 are rejected under 35 U.S.C. 102(e) as being anticipated by MacLean,
U.S. Patent Application Publication 2002/0038363 A1.**

As per the following claims, MacLean discloses:

1. A method for operating a data communication system, comprising:

- originating an electronic commerce transaction at a first party (§ 12);

- transmitting the electronic commerce transaction through the data communications network towards a second party (figure 4, item 402);
- inputting the electronic commerce transaction to an electronic commerce transaction filter that is interposed between two network components at a location where electronic commerce transaction related messages and message data are cast in a known form for enabling the electronic commerce transactions filter to interpret at least one characteristic of the electronic commerce transaction in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data (figure 4, item 404); and
- in response to interpreting the at least one characteristic of the electronic commerce transaction, operating the electronic commerce transaction filter to take some action with respect to the electronic commerce transaction (figure 4, item 408; see ¶ 6-13).

2. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an analysis of the electronic commerce transaction for the purpose of collecting information across an administrative domain (¶8-12).

3. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an analysis of the electronic commerce transaction for the purpose of enforcing a policy for an administrative domain (¶ 8-12).

4. A method as in claim 1, wherein the action taken with respect to the electronic commerce

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transaction is a modification of the electronic commerce transaction (§ 48).

5. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a redirection of the electronic commerce transaction to a third party (§ 47-48).

6. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an extraction of information from the e-commerce transaction for recording the information for statistical or other purposes (§ 47-50).

7. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification of the authenticity of the electronic commerce transaction (§ 50).

8. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification of the authenticity of a component part of the electronic commerce transaction (§ 50).

9. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a regulation (§ 50-51).

10. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a

standard (§§ 50-51).

11. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a termination of the electronic commerce transaction (§§ 47-50).

12. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a delay of the electronic commerce transaction (§§ 47-50, 55).

13. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an encryption of all or a part of the electronic commerce transaction, and sending the encrypted electronic commerce transaction to another destination (§§ 66).

14. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is generating an alert if an analysis performed by the electronic commerce transaction filter indicates that a certain filtering criterion is met (§§ 58-60).

15. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is passing the electronic commerce transaction through the electronic commerce transaction filter without modification and without recording any information regarding the electronic commerce transaction (§§ 48, 58).

16. A method as in claim 1, wherein the action taken with respect to the electronic commerce

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transaction is selected at least in part by applying predefined rules to the contents of one or more messages that comprise the electronic commerce transaction (§ 55-61).

17. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is selected at least in part by applying predefined rules that are independent of the contents of one or more messages that comprise the electronic commerce transaction (§ 55-61).

18. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is selected at least in part by applying predefined rules based on at least one of an origin or a destination of the electronic commerce transaction (§ 55-61).

19. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is recording at least one predetermined type of information, and further comprising accumulating recorded information from a plurality of electronic commerce transactions, and making the accumulated recorded information available to interested parties (§ 63).

20. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is recording at least one predetermined type of information, and further comprising accumulating recorded information from a plurality of electronic commerce transactions, and deriving a filtering criterion from the accumulated recorded information for use in the same or in another electronic commerce transaction filter (§ 7).

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21. A method as in claim 1, wherein operating the electronic commerce transaction filter is performed in parallel in a plurality of electronic commerce transaction filters that are disposed between two layers of an administrative domain hierarchy (§§65-66).

22. A method as in claim 1, wherein operating the electronic commerce transaction filter comprises decrypting all or part of the electronic commerce transaction (§§ 66).

23. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an encryption of all or a part of the electronic commerce transaction using at least one cryptographic key, and further comprising sending the at least one cryptographic key to another location (§§ 66).

24. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a predetermined policy (§§ 13).

25. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is determining whether the electronic commerce transaction may be fraudulent (§§ 48-54).

A data communication system, comprising:

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- a first party for originating an electronic commerce transaction and for transmitting the electronic commerce transaction through a data communications network towards a second party (§ 54); and
- an electronic commerce transaction filter that is transparently interposed between two data communication network components at a location where electronic commerce transaction related messages and message data are cast in a known form for enabling the electronic commerce transactions filter to interpret at least one characteristic of the electronic commerce transaction in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data, said filter being responsive to interpreting the at least one characteristic of the electronic commerce transaction for operating on the electronic commerce transaction in accordance with at least one filter criterion for taking some action with respect to the electronic commerce transaction (§ 54, 55-63).

27. A method of conducting business over the Internet, wherein parties interact by originating an electronic commerce transaction at a first party and transmitting the electronic commerce transaction through the Internet to a second party, the method comprising steps of:

- intercepting the electronic commerce transaction with an electronic commerce transaction filter that is interposed between two data communication network components at a location where electronic commerce transaction related messages and message data are cast in a known form for enabling the electronic commerce transactions filter to interpret at least one characteristic of the electronic commerce transaction in a manner that is

independent of a particular electronic commerce program that originated the electronic commerce related messages and message data (§ 63-65); and

- in response to interpreting the at least one characteristic of the electronic commerce transaction operating the electronic commerce transaction filter in accordance with at least one filter criterion so as to record at least one predetermined type of information, and further comprising steps of accumulating recorded information from a plurality of electronic commerce transactions, and making the accumulated recorded information available to interested parties (§ 63).

28. A method of conducting business over the Internet, wherein parties interact by originating an electronic commerce transaction at a first party and transmitting the electronic commerce transaction through the Internet to a second party, the method comprising:

- intercepting the electronic commerce transaction with an electronic commerce transaction filter that is interposed between two data communication network components at a location where electronic commerce transaction related messages and message data are cast in a known form (§ 63 and associated figures); and
- interpreting with the electronic commerce transaction filter at least one characteristic of the electronic commerce transaction in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data (§ 63-65); and
- in response to interpreting the at least one characteristic of the electronic commerce transaction, operating the electronic commerce transaction filter in accordance with at

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least one filter criterion to record at least one predetermined type of information, and further comprising steps of accumulating recorded information from a plurality of electronic commerce transactions, deriving a new or a modified filtering criterion from the accumulated recorded information, and further comprising a step of offering the new or modified filtering criterion for use by another electronic commerce transaction filter (§63-68).

29. A method of conducting business over the Internet, wherein parties interact by originating an electronic commerce transaction at a first party and transmitting the electronic commerce transaction through the Internet to a second party, where the electronic commerce transaction comprises at least an offer to provide goods or services based on stipulated terms; the method comprising:

- intercepting an electronic commerce transaction with an electronic commerce transaction filter that is interposed between two data communication network components (§ 63);
- redirecting the intercepted electronic commerce transaction to a third party (§ 63);
- and providing the third party the opportunity to provide the goods or services for the stipulated terms or for other terms related to the stipulated terms (§63-68).

30. A method as in claim 29, wherein providing enables the third party to provide the goods or services for a price that is either less than or greater than a price set by the stipulated terms (§63).

Claims 31-69 are directed to a computer readable medium and claims 70-80 are directed to a system of the above claimed invention and are rejected as above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached Tuesday – Friday during normal business hours.

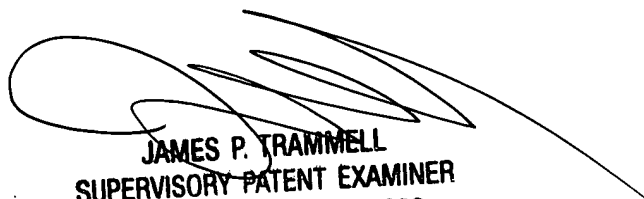
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6128 for regular **UNOFFICIAL FAX** communications and 703-305-7687 for **OFFICAL** formal communications intended for entry including After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

bbb
January 23, 2004



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600